

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA and the
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Plaintiffs,

Civ. Action No. 12-5553

1.

GSP Management Company, Frank Perano
CTW Properties, LLC, Colonial Village, LLC, Country
Manor Farms, LLC, Creekwood Village, LLC, RHG
Properties, LLC, Green Hill MHC, LLC, Green Top
Management, LLC, Heritage Village Management, LLC,
Hillside Manor Management, LLC, Indian Run Village,
LLC, WTS Properties, LLC, Lincoln Crest Management,
LLC, Meadows Sewer Company, ATG Properties, LLC,
Melody Lakes Management, LLC, MTM Properties, LLC,
North View Manor Management, LLC, Pine Manor, LLC,
Rolling Acres Management, LLC, Stony Brook
Management, LLC, Sunrise Terrace Management, LLC,
The Pines at West Penn LLC, Walnut Meadows, LLC,
Camelot Estates, Breezy Acres, Franklin Community
Management, PWC Management, LLC, York Community
Management, and Indian Creek Village, Orchard Hill
Management, LLC, Pennwood Management, LLC,
ML Management, LLC and RHG Management Co.

Defendants.

**JOINT STIPULATION AND ORDER FOR
PARTIAL TERMINATION OF CONSENT DECREE**

Pursuant to Section XVIII (Termination) of the Consent Decree entered in the above-captioned action on January 30, 2013, the Parties hereby submit for approval this Joint Stipulation and Order for Partial Termination of the Consent Decree ("Stipulation") for the reasons set forth below:

1. The captioned Consent Decree ("CD") was lodged in the United States District Court for

the Eastern District of Pennsylvania on September 28, 2012.

2. A Motion to Enter the CD was filed with the Court on November 27, 2012. By Order dated January 30, 2013, the Court granted that motion and entered the CD as an Order of the Court.
3. Pursuant to Paragraph 100 of the CD, the terms of the CD may be modified only by written agreement of the Parties. Where modification constitutes a material change to the CD, it is only effective upon approval of the Court.
4. Pursuant to Paragraph 103 of the CD, by letters dated April 19, 2019, and August 17, 2020, Defendants submitted Requests for Termination-Specific Sites, seeking termination of CD requirements for 56 of the 73 covered mobile home parks ("MHP") under the CD.
5. Paragraph 103 of the CD provides that Defendants may request termination or partial termination of the CD under the following circumstances:

After Defendants have completed the requirements of this Decree, have thereafter maintained continuous satisfactory compliance with this Consent Decree for a period of four (4) years, have complied with all other requirements of this Consent Decree, including those relating to the Injunctive Relief under Section VII of this Consent Decree, and have paid the civil penalty and any accrued stipulated penalties as required by this Consent Decree, Defendants may serve upon the United States and PADEP a Request for Termination, stating that Defendants have satisfied those requirements, together with all necessary supporting documentation. Defendants may seek termination of Facility specific requirements of this Consent Decree for any individual Facility for which all requirements under this Consent Decree have been completed and the Facility has maintained continuous satisfactory compliance with this Consent Decree for a period of four (4) years.

6. The Parties agree that the conditions for termination outlined in Paragraph 103 have been met for the 51 Facilities identified in Attachment I. The requirements of the CD are complete, and Defendants' have thereafter maintained satisfactory compliance with the Consent Decree for a period of four (4) years at those Facilities, in accordance with Paragraph 103:

a. The Defendants have provided documentation demonstrating that the predicated conditions of termination have been met: completion of Injunctive Relief required by Section VII of the CD and payment of the civil penalty and any accrued stipulated penalties.

b. The Defendants' Facilities identified in Attachment I are eligible for Consent Decree termination based on a demonstration of four (4) years of continuous satisfactory compliance after completion of the Injunctive Relief.

WHEREFORE, the Court HEREBY ORDERS that the Facility specific requirements of the Consent Decree in this matter are terminated as to the Defendants' Facilities identified in Attachment I, however the Defendants are ordered to retain and preserve certain documents as required by Section XII of the Consent Decree for the terminated Facilities. This order does not terminate or otherwise alter obligations under the Consent Decree with respect to any Facility not specifically identified in Attachment I.

SO ORDERED THIS ____ DAY OF February, 2022.

United States District Judge
Eastern District of Pennsylvania

SO AGREED:

FOR THE UNITED STATES OF AMERICA

Respectfully submitted,

JENNIFER ARBITTIER WILLIAMS
United States Attorney


GREGORY B. DAVID

Assistant United States Attorney
Chief, Civil Division

**FOR THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

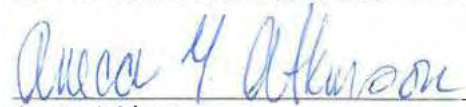
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FRANKENTHALER

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FRANKENTHALER
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DOUGLAS FRANKENTHALER
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

**FOR THE PENNSYLVANIA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

Date: 10/26/2021



Aneca Atkinson
Deputy Secretary for Water Programs
Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

Date: 10/26/2021



Dawn M. Herb
Regional Counsel
Office of Chief Counsel
Department of Environmental Protection
Southcentral Regional Counsel
909 Elmerton Avenue
Harrisburg, PA 17110

FOR DEFENDANTS

Date: 10/12/21

Frank T. Perano

Frank T. Perano (individually and d/b/a
Breezy Acres, Camelot Estates, GSP Management Co., and
Indian Creek Village)

ATG Properties, LLC

Date: 10/12/21

By: Frank T. Perano

Frank T. Perano, Member
(also d.b.a York Community Management)

Colonial Village, LLC.

Date: 10/12/21

By: Frank T. Perano

Frank T. Perano, Member

Country Manor Farms, LLC.

Date: 10/12/21

By: Frank T. Perano

Frank T. Perano, Member

Creekwood Village, LLC.

Date: 10/12/21

By: Frank T. Perano

Frank T. Perano, Member

CTW Properties, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Green Hill MHC, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Green Top Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Heritage Village Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Hillside Manor Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member
(also d/b/a Franklin Community Management)

Indian Run Village, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Lincoln Crest Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Meadows Sewer Company

Date: 10/12/21

By: 
Frank T. Perano, President

Melody Lakes Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

ML Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

MTM Properties, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

North View Manor Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Orchard Hill Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Pennwood Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Pine Manor, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

PWC Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

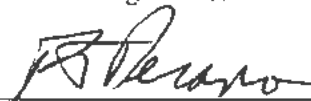
RHG Properties, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member
(also d/b/a RHG Management Co.)

Rolling Acres Management, LLC

Date: 10/12/21

By: 

Frank T. Perano, Member
(also d/b/a Franklin Community Management)

Stony Brook Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Sunrise Terrace Management, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

The Pines at West Penn, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member

Walnut Meadows, LLC

Date: 10/12/21

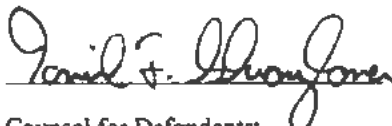
By: 
Frank T. Perano, Member

WTS Properties, LLC

Date: 10/12/21

By: 
Frank T. Perano, Member
(also d/b/a York Community Management)

Date: 10/12/2021

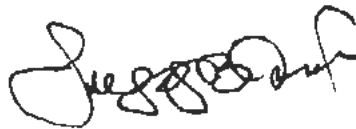

Counsel for Defendants

Attachment 1: Defendants' Facilities Eligible for Termination

Facilities Terminated From CD
Barker's Landing
Breezy Acres
Camelot Estates
Colonial Court
Country Manor Farms
Creekwood Village
Grayson Village
Green Valley Estates
Heimer Park
Hillside Manor
Deer Run
Indian Creek Village
Interstate Village
Kentwood Estates
Lawsons Court
Lehigh Terrace Court
Meadowview Mobile Home Park
Mill Creek Estates
Muleshoe Estates
North View Estates
North View Manor
Philipsburg Properties (Frenchtown)
Philipsburg Properties (Lochlomond Rd)
Philipsburg Properties (Spruce Street)
Ridge View Terrace
Ruth Allen Court
Shady Acres
Stonehedge Court
Stoney Brook Circle
Tiadaghton View
Walnut Meadows
Warm Springs
Windsor Acres
Woodland Park
Woodland Park (Strykers Court)
Apple Blossom Lane
Black Hawk Village

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2022, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to CM/ECF participants. I also served a true and correct copy of the foregoing document by e-mail and U.S. mail to:



GREGORY B. DAVID
Assistant United States Attorney
Chief, Civil Division